

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated June 22, 2007 has been received and its contents carefully reviewed.

The Specification has been amended to correct minor informalities. Claims 1-2, 8-9, 12-13, and 15 are hereby amended, and claims 16-18 are hereby added. No new matter has been introduced. Accordingly, claims 1-18 are currently pending. Reexamination and reconsideration of the pending claims are respectfully requested.

The Office Action objects to the Specification for minor informalities. Applicants have amended the Specification accordingly. Therefore, Applicants respectfully request withdrawal of the objection.

The Office Action rejects claims 1-15 under 35 U.S.C. § 103(a) as being obvious over Korean Patent Publication No. 1020020034064 to Lee et al. (hereafter "*Lee*") in view of U.S. Patent No. 5,915,150 to Kukimoto et al. (hereafter "*Kukimoto*"). Applicants respectfully traverse the rejection.

To establish a *prima facie* case of obviousness, three basic criteria must be met. The first criteria is that there must be some suggestion or reason available to one of ordinary skill in the art to combine the prior art references. See M.P.E.P. § 2143. Moreover, the reason for combining the references cannot come from the applicant's own disclosure. In the current application, the combination of *Lee* and *Kukimoto* yields toner characteristics that are far superior to the toner characteristics of *Lee* and *Kukimoto*, individually, as set forth in more detail below. These unexpected results are evidence that combining *Lee* and *Kukimoto* would not have been obvious to one of ordinary skill in the art, lest it would have already been done. See *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966).

Claim 1 recites, "a non-magnetic mono-component toner composition comprising ... 0.05-2.5 parts by weight of spherical organic fine particles having a weight-average molecular weight (M_w) of 250,000-1,600,000 and an average size of 50-500 nm." *Lee* fails to teach or

suggest at least a non-magnetic mono-component toner with spherical organic particles that have any of the aforementioned characteristics regarding weight and size. In fact, the Office Action admits that “the specific organic fine particles are not taught by Lee.” *Office Action*, page 2, paragraph 2.

Claim 1 also recites, “a non-magnetic mono-component toner composition comprising ... 0.3-2.5 parts by weight of metal oxide fine particles having an average particle size of 50-500 nm.” *Kukimoto* fails to teach or suggest at least a non-magnetic mono-component toner with metal oxide fine particles that have any of the aforementioned characteristics regarding weight and size.

The non-magnetic mono-component toner composition of claim 1 has “good fluidity such that it can make toner be supplied smoothly, reduce PCR contamination and image quality deterioration, and enable toner layer to form on the developing roller while preventing blocking at the blade of the developing roller, as well as solve the low temperature double image problem, at the non-imaging region at a low temperature.” *Specification*, page 5, lines 15-20. Unlike the toner composition of claim 1, the non-magnetic one component type toner composition described in *Lee* does not have spherical organic fine particles, as recited in claim 1. In fact, the toner composition in *Lee* is similar to the toner compositions of Comparative Examples 5-6 of the current application, which also do not have organic fine particles. *Specification*, page 23, table 4. As explained in the specification, the test results show that the non-magnetic mono-component toner composition, as recited in claim 1, is superior in low temperature double imaging, toner blocking, and fusing compared with those of Comparative Examples 5-6 and, therefore, the toner composition of *Lee*. *Specification*, page 26, table 5.

The non-magnetic one component type toner composition of *Kukimoto* does not have metal oxide fine particles, as required by claim 1. In fact, the toner composition in *Kukimoto* is similar to the toner composition of Comparative Examples 9-10 of the current application, which also do not have metal oxide fine particles. *Specification*, page 23, table 4. Again, the test results show, as set forth in the specification, that the non-magnetic mono-component toner composition of claim 1 is superior in low temperature double imaging, toner blocking, and fusing compared

with those of Comparative Examples 9-10 and, therefore, the toner composition of *Kukimoto*. *Specification*, page 26, table 5.

As stated above, one of ordinary skill in the art would not have considered it obvious to combine *Lee* and *Kukimoto*. That is because the toner composition set forth in claim 1 yields unexpected results which far exceed the performance of the toner composition described in *Lee* as well as the performance of the toner composition described in *Kukimoto*. Had one of ordinary skill in the art considered the combination of *Lee* and *Kukimoto* to be obvious, Applicants submit that there would be prior art that teaches the combination. The absence of this in the prior art is further evidence that combining *Lee* and *Kukimoto* was not, in fact, obvious.

Accordingly, claim 1 is patentable over the combined teaching of *Lee* and *Kukimoto*. Claims 2-7 and 16-19, which variously depend from claim 1, are also allowable for at least the same reasons as claim 1.

Claim 8 recites, "mixing 100 parts by weight of the toner mother particle with i) 0.05-2.5 parts by weight of spherical organic fine particles having a weight-average molecular weight (M_w) of 250,000-1,600,00 and an average size of 50-500 nm." *Lee* fails to teach or suggest at least this feature of claim 8. Claim 8 also recites, "mixing ... 0.3-2.5 parts by weight of metal oxide fine particle particles having an average particle size of 50-500 nm using a stirrer." *Kukimoto* fails to teach or suggest at least this feature of claim 8. Similar to the discussion above with respect to claim 1, the combination of *Lee* and *Kukimoto* fails to render claim 8 obvious. That is because the method set forth in claim 8 yields unexpected results which far exceed the method described in *Lee* as well as the method described in *Kukimoto*, and there is evidently no reasonable expectation of success to combine methods in *Lee* and *Kukimoto*. Accordingly, claim 8 is patentable over the combined teaching of *Lee* and *Kukimoto*. Claims 9-15, which variously depend from claim 8, are also allowable for at least the same reasons as claim 8.

For at least the aforementioned reasons, Applicants respectfully request that the Examiner withdraw of the rejection of claims 1-15.

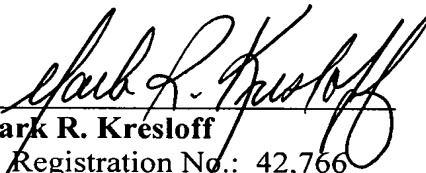
The application is in condition for allowance. Early and favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: September 19, 2007

Respectfully submitted,

By 

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